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7 *Counsel for Tubbs Preference Plaintiffs*
(Wilson, Fourkas, Kamprath, and Berriz)

8
9 **UNITED STATES BANKRUPTCY COURT**
NORTHERN DISTRICT OF CALIFORNIA
10 **SAN FRANCISCO DIVISION**

11 **In re:**

12 **PG&E CORPORATION**

13 -and-

14 **PACIFIC GAS AND ELECTRIC**
COMPANY,

15 **Debtors.**

- 16 ☐ Affects PG&E Corporation
17 ☐ Affects Pacific Gas and Electric Company
18 ☒ Affects both Debtors

19 **All papers shall be filed in the Lead Case,*
20 *No. 19-30088 (DM)*
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Case No. 19-30088 (DM)
Chapter 11 (Lead Case) (Jointly Administered)

**DECLARATION OF FRANK M. PITRE IN
SUPPORT OF RESPONSE TO OBJECTION
TO DEBTORS' MOTION PURSUANT TO 11
U.S.C. §§ 363(b) AND 105(a) AND FED. R.
BANKR. P. 6004 AND 9019 FOR ENTRY OF
AN ORDER (I) AUTHORIZING THE
DEBTORS TO SETTLE THE CLAIMS OF
TUBBS PREFERENCE CLAIMANTS AND
(II) GRANTING RELATED RELIEF; AND
DEBTORS' MOTION PURSUANT TO 11
U.S.C. §§ 105(a) AND 107(b) AND FED. R.
BANKR. P. 9018 FOR ENTRY OF AN
ORDER AUTHORIZING REDACTION AND
SEALING OF CONFIDENTIAL
INFORMATION FROM TUBBS
SETTLEMENT DOCUMENTS
[Dkt. No. 5459]**

Date: January 29, 2020
Time: 10:00 a.m. (Pacific Time)
Place: United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

1 I, Frank M. Pitre, hereby declare as follows:

2 1. I am an attorney at law, duly licensed to practice law in the State of California and
3 an attorney with Cotchett, Pitre, & McCarthy, LLP, counsel for for Tubbs Preference Plaintiffs
4 and Claimants Armando & Carmen Berriz, Armando J. Berriz, Carmen T. Berriz, Arielle Lysacek,
5 Luis Ocon, Monica Ocon, Elizabeth Fourkas, Alissa Fourkas, Pete Fourkas, Donald Louis
6 Kamprath, Ruth Kamprath, Christina Wilson, Gregory Wilson, the Fourkas Family Trust, and the
7 Donald L. Kamprath and Ruth Johnson Kamprath Revocable Trust.

8 2. I have been involved with litigation on behalf of wildfire and gas transmission
9 explosion victims against PG&E since 2010. I have taken the deposition of more than 150 PG&E
10 officers and employees since 2010. I was lead counsel in: the San Bruno Explosion litigation; the
11 derivative action against the Board of Directors; and presently serve as co-lead counsel for the
12 North Bay Fires JCCP. I was also involved as co-liaison counsel for the Butte Fire JCCP and
13 served on the Executive Committee. Recently, I served as a member of the negotiating committee
14 with bondholders and PG&E on behalf of the TCC. I was involved in discussions leading up to
15 entry of the RSA, and am familiar with its terms, including those in the accompanying brief.

16 3. I personally engaged in settling hundreds of fire victim claims with PG&E resulting
17 from the 2010 San Bruno Gas Explosion and the 2015 Butte Fire. PG&E required that the
18 settlements be confidential in every case. My clients also wanted their settlement amounts to be
19 kept confidential to maintain their financial privacy.

20 4. On December 4, 2020 the TCC voted unanimously to approve the RSA. For at least
21 one month prior to the RSA approval by the TCC, Attorneys Scarpulla, Hallisey and Balabanian
22 (along with other TCC attorneys) had engaged in RSA negotiations. Attorneys Scarpulla, Hallisey
23 and Balabanian all were given adequate opportunity to review the RSA terms before their TCC
24 clients voted on it and before this Court approved it on December 19, 2019.

25 DATED: January 24, 2020

Respectfully submitted,

26 **COTCHETT, PITRE & McCARTHY, LLP**

27 By: /s/ Frank M. Pitre

28 Frank. M. Pitre